



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/524-3300

March 3, 2010

Certified Mail
7004 2510 0001 8625 6285

Estate of Chemetco, Inc.
Attn: Laura Grandy, Trustee
Mathis, Marifan, Richter & Grandy, Ltd.
23 Public Square, Suite 300
Belleville, Illinois 62208

Re: 1198010003—Madison County
Chemetco
ILD048843809
Log No. C-861-CERT
RCRA Closure

Dear Ms. Grandy:

This is in response to the February 6, 2009, March 11, 2009 and January 11, 2010 submittals from Mr. Gary J. Davis, representing the Estate of Chemetco, Inc. regarding RCRA closure activities for an alleged hazardous waste container storage area at the above-referenced facility referred to as the Brick Shop. A drawing showing the location of the Brick Shop area within the subject facility is attached.

A plan to complete closure of the Brick Shop area and a unit referred to as the "AAF Decontamination Area and Sump" was approved by Illinois EPA on May 13, 2008 (please note that the actual letter is incorrectly dated May 13, 2004); a request to modify this plan was approved by Illinois EPA on November 14, 2008. Closure of this unit is to address, in part, some of the alleged violations which occurred at the facility as set forth in Violation Notice L-2007-01375 dated October 10, 2007.

Mr. Davis' submittals contained a certification that the subject unit had been closed in accordance with the approved plan and information documenting these closure efforts. Illinois EPA conducted an inspection of this area on January 5, 2010. The results of this inspection as well as a review of Mr. Davis' submittals indicates that the Brick Shop area was closed in accordance with the approved plan. Therefore, Illinois EPA has determined that the closure of the Brick Shop area at the subject facility has met the requirements of 35 Ill. Admin. Code 725. This determination is based in part on Condition 7 of the Illinois EPA's May 13, 2008 letter which states "The proposed activities [in the approved closure plan for the Brick Shop] are appropriate for properly addressing any contamination which may be present in the areas associated with the improper management of hazardous waste observed in September and November 2007 [and cited in the afore-mentioned October 10, 2007 violation notice]. However,

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contamination may be present in the soil beneath these areas from previous activities in them; the approval of this closure plan does not address any such possible contamination.

Within 35 days after the date of mailing of the Illinois EPA's final decision, the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the decision of the Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day initial appeal period.

Work required by this letter, your submittal or the regulations may also be subject to other laws governing professional services, such as the Illinois Professional Land Surveyor Act of 1989, the Professional Engineering Practice Act of 1989, the Professional Geologist Licensing Act, and the Structural Engineering Licensing Act of 1989. This letter does not relieve anyone from compliance with these laws and the regulations adopted pursuant to these laws. All work that falls within the scope and definitions of these laws must be performed in compliance with them. The Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority

Sincerely,



Stephen F. Nightingale, P.E.
Manager, Permit Section
Bureau of Land


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Jen

Attachment: Site Layout Map

cc: Gary J. Davis

bcc: Bureau File
Collinsville Region
Jim Moore

Legend

- Property Boundary
- - - Parcel 011 Boundary
- ++++ Railroad Tracks
-  Parking Lot

- ① Foundry
- ② Tank House
- ③ North & South Polishing Pits
- ④ Shower House
- ⑤ Plant Offices
- ⑥ Maintenance Shop
- ⑦ Brick Shop
- ⑧ Roof Baghouse

Illinois State Highway 3

Slag Pile

Entrance

Chemetco Lane

Brick Shop

Site Layout Map
C-861-CERT

